

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Michael E. Landry, *et al.*

Serial No.: 10/698,046

Filed: October 30, 2003

For: SPINAL STABILIZATION SYSTEM USING  
FLEXIBLE MEMBERS

Attorney Docket No.: 5259-10800US01

Examiner: Cumberledge, Jerry L.

Group Art Unit: 3733

Mail Stop RCE  
Commissioner for Patents  
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Date

INFORMATION DISCLOSURE STATEMENT

Dear Sir:

The following information is submitted pursuant to 37 C.F.R. §§ 1.97 and 1.98 in accordance with applicants' duty of disclosure under 37 CFR 1.56. This submission is not an admission that the documents cited herein are prior art as to the invention claimed.

The references submitted are listed on the attached Form PTO-1449. Review is respectfully requested, and the Examiner is asked to place his/her initials next to each reference listed on the form to indicate that the reference was considered. Pursuant to 37 CFR §1.98(2), copies of U.S. patents and U.S. patent application publications are not provided.

Because this Information Disclosure Statement is being submitted before the mailing of a first Office action on the merits of the application, it is believed that, under 37 CFR §1.97(b)(3), no fee is due in connection herewith.

Respectfully submitted,  
Michael E. Landry, *et al.*

  
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Michael L. Woods

Registration No. 50,811  
Attorney for Applicants

23492

Abbott Spine Inc.  
Telephone: (512) 533-1945  
Facsimile: (512) 597-4275

**Form PTO - 1449 (Modified)**

FORM PTO-1449 U.S. DEPARTMENT OF COMMERCE  
(Modified) PATENT AND TRADEMARK OFFICE

ATTY. DOCKET NO.  
5259-10800US01

SERIAL NO.  
10/698,046

INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT

(Use several sheets if necessary)

APPLICANT(S)

Michael E. Landry *et al.*

FILING DATE  
October 30, 2003

GROUP  
3733

(37 CFR 1.98 (b))

**U.S. PATENT DOCUMENTS**

EXAMINER INITIAL	PATENT NUMBER	ISSUE DATE	INVENTOR	CLASS	SUB CLASS	FILING DATE
A1	6,530,929	3/11/2003	Justis, et al.			
A2	6,599,290	7/29/2003	Bailey, et al.			
A3	5,647,873	7/15/1997	Ralph, et al.			
A4	6,331,179	12/18/2001	Freid, et al.			
A5	5,817,094	10/06/1998	Ralph, et al.			
A6	US2001/001119	5/10/2001	Lombardo, Alan			
A7	6,183,472	2/06/2001	Lutz, Christian			
A8	6,520,907	2/18/2003	Foley, et al.			

**FOREIGN PATENT OR PUBLISHED FOREIGN PATENT APPLICATION**

	DOCUMENT NUMBER	PUBLIC-ATION DATE	COUNTRY OR PATENT OFFICE	CLASS	SUB CLASS	TRANS-LATION YES NO
B1	FR2796545	1/26/2001	France			x
B2	FR2729291	7/19/1996	France			x
B3	DE29810798	10/28/1999	Germany			x
B4	EP01190678	3/27/2002	EPO			

**OTHER DOCUMENTS (Including Author, Title, Date, Place of Publication)**

C1	Atavi Atraumatic Spine Fusion System, "Endoscopic Posteriorlateral Fusion," Endius Inc. (2001)
C2	Medtronic Sofamor DA, CD Horizon Rod Insertion System, as described by: Kevin T. Foley, M.D., Department of Neurosurgery University of Tennessee, Memphis, Tennessee, Medtronic Sofamor Danek (2002)
C3	Versalok Low Back Fixation System, Setting a New Standard for Low Back Fixation, Wright Medical Technology, Inc. (1996)

EXAMINER	DATE CONSIDERED
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EXAMINER: Initial citation considered. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.